

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

BRYANT ANTHONY BILLINGS,
ADC #093957

Plaintiff,

v.

JOHNSON, Doctor,
Pulaski County Jail; *et al.*

Defendants.

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No. 4:14CV00674-SWW-JJV

ORDER

The Court has reviewed the Proposed Findings and Partial Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and Plaintiff's Objections. After carefully considering the objections and making a *de novo* review of the record, the Court concludes that the Proposed Findings and Partial Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS, THEREFORE, ORDERED that:

1. Defendant Maxim Healthcare Services, Inc. and all "Doe" Defendants are dismissed without prejudice for failure to state a claim upon which relief may be granted.¹

2. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

IT IS SO ORDERED this 1st day of May, 2015.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE

¹Plaintiff asserts that discovery may reveal that separate defendant Maxim Healthcare Services, Inc. has a custom or policy of denying inmate medical care. Pl's. Objections (ECF No. 44) at 2. Dismissal without prejudice does not bar the plaintiff from returning to the court with the same claims at a later date.